IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1102 of 2007

KASHMIRI LAL
V/S
A.D.J.N0.2,SGNR. & ORS.

Mr. GJ GUPTA, for the appellant / petitioner

Date of Order : 8.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Right to file written statement was closed way back on 5.12.2005 as the the written statement was not filed within 90 days of the service. The writ petition has been filed seeking to challenge this order as late as on 16.11.2006. In such circumstances, when the written statement was required to be filed within 90 days, and after closure of the written statement when the writ petition is filed after 11 months of that order, I do not find any sufficient ground to interfere in the impugned order. The writ petition is, therefore, dismissed. However, it will be open to the petitioner to assail the correctness, legality or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised.

(N P GUPTA),J.

/Sushil/